

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
EUGENE DIVISION

NICHOLAS JAMES MCGUFFIN, as an  
individual and as guardian *ad litem*, on behalf  
of S.M., a minor,

Case No. 6:20-cv-01163-MK

Plaintiff,

v.

**ORDER RE IN-CAMERA  
REVIEW OF MCCREA CASE  
FILE**

MARK DANNELS *et al.*,

Defendants.

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**KASUBHAI**, United States Magistrate Judge:

In accordance with Order On Plaintiffs’ Motion To Modify Subpoena, ECF No. 218, the Court has conducted its *in-camera* review of the documents identified in Plaintiffs’ privilege log. Order On Plaintiffs’ Motion To Modify Subpoena, ECF No. 218 (“Order to Modify Subpoena”); *see* Joint Status Report Proposal Pursuant to Dkt. 215 ECF No. 217-1 (“Privilege Log”). Consistent with the reasoning and analysis set forth in this Court’s prior Order to Modify

Subpoena, the Court finds that there are no documents withheld that satisfy the criteria for waiver of attorney-client privilege or work-product doctrine.<sup>1</sup> Plaintiffs are not ordered to produce any additional withheld documents from the McCrea File. The Court will return all documents provided for *in-camera* review to Plaintiffs.

Plaintiffs also provided the Court with a copy of the sealed transcript from the deposition of Ms. McCrea taken during the post-conviction case vacating Plaintiff McGuffin's prior conviction. The deposition transcript was not subject to *in-camera* review, and the Court has destroyed the physical copy of the deposition transcript. *See* Order to Modify Subpoena at 8 (ordering Plaintiffs to submit only the withheld documents from Shaun McCrea's case file on Plaintiff McGuffin).

IT IS SO ORDERED.

DATED this 29th day of November 2023.

s/ Mustafa T. Kasubhai  
MUSTAFA T. KASUBHAI (He / Him)  
United States Magistrate Judge

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<sup>1</sup> For a more detailed accounting of background facts and legal analysis, see Order to Modify Subpoena, ECF No. 218.